

24-CV-6191 -FPG

Revised 03/06 WDNY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORKFORM TO BE USED IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983  
(Prisoner Complaint Form)All material filed in this Court is now available via the INTERNET. See Pro Se Privacy Notice for further information.1. CAPTION OF ACTION

A. Full Name And Prisoner Number of Plaintiff: **NOTE:** If more than one plaintiff files this action and seeks in forma pauperis status, each plaintiff must submit an in forma pauperis application and a signed Authorization or the only plaintiff to be considered will be the plaintiff who filed an application and Authorization.

1. Shaquill Battle 15B2077 Shaquill Battle  
 2. \_\_\_\_\_

-VS-

B. Full Name(s) of Defendant(s) **NOTE:** Pursuant to Fed.R.Civ.P. 10(a), the names of all parties must appear in the caption. The court may not consider a claim against anyone not identified in this section as a defendant. If you have more than six defendants, you may continue this section on another sheet of paper if you indicate below that you have done so.

1. <u>Jane Doe Nurse</u>	4. <u>M. Brown</u>
2. <u>J Brooks</u>	5. <u>John Doe Sergeant</u>
3. <u>? Insania (TWIN)</u>	6. <u>John Doe Sergeant</u>

Continued on Plain Paper2. STATEMENT OF JURISDICTION

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over the action pursuant to 28 U.S.C. §§ 1331, 1343(3) and (4), and 2201.

3. PARTIES TO THIS ACTIONPLAINTIFF'S INFORMATION **NOTE:** To list additional plaintiffs, use this format on another sheet of paper.

Name and Prisoner Number of Plaintiff: Sh Aquill Battle 15B2077 ██████████  
 Present Place of Confinement & Address: Oriens Correctional Facility 3531  
Gaines Basin RD. Albion NY 14411-9199

Name and Prisoner Number of Plaintiff: \_\_\_\_\_

Present Place of Confinement &amp; Address: \_\_\_\_\_

**DEFENDANT'S INFORMATION** NOTE: To provide information about more defendants than there is room for here, use this format on another sheet of paper.Name of Defendant: Jane Doe(If applicable) Official Position of Defendant: Nurse(If applicable) Defendant is Sued in  Individual and/or  Official CapacityAddress of Defendant: Orleans Correctional Facility 3531 Gaines Basin RD. Albion, New York 14411-9199 Work PlaceName of Defendant: J. Brooks(If applicable) Official Position of Defendant: Correctional Officer(If applicable) Defendant is Sued in  Individual and/or  Official CapacityAddress of Defendant: Orleans Correctional Facility 3531 Gaines Basin RD. Albion, New York 14411-9199 Work placeName of Defendant: ? Insania(If applicable) Official Position of Defendant: Correctional Officer(If applicable) Defendant is Sued in  Individual and/or  Official CapacityAddress of Defendant: Orleans Correctional Facility 3531 Gaines Basin RD. Albion, New York 14411-9199 Work Place**4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT**A. Have you begun any other lawsuits in state or federal court dealing with the same facts involved in this action?  
Yes  No 

If Yes, complete the next section. NOTE: If you have brought more than one lawsuit dealing with the same facts as this action, use this format to describe the other action(s) on another sheet of paper.

1. Name(s) of the parties to this other lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county): \_\_\_\_\_

3. Docket or Index Number: \_\_\_\_\_

4. Name of Judge to whom case was assigned: \_\_\_\_\_

12 Jane Doe (mixed complexion) Co. Drove to and from visit 3-17-24  
12 John Doe (Looks Hispanic) Co. O  
13 Sgt Patti  
14 Officer Tresch  
15 SORC SWORD  
16 John Doe (Tall Full Beard) Co. O  
17 Can Identify  
18 Om H Ashton  
19 ? Cosgrove E or P. First Initial has brother

1. B end of Continued Defendants

### Defendants Seperate sheet(1)

Orleans Correctional Facility 3531 Gaines Basin Rd, Albion  
New York 14411-9199 Is The Address For All Named Defendants.

#### Part 4 Continued Here Defendants Information:

M. Brown, Correctional Officer, Defendant is sued in his Individual and official capacity.

John Doe (Sergeant) #1 Correctional Officer Supervisor sued  
John Doe (Sergeant) #2 Correctional Officer Supervisor sued Individual / Official

M. Bly, Correctional Officer sued Individual and officially) Official

M. Pluff, Correctional Officer sued Individual and Official

M. Nowak, Correctional Officer sued Individual and Official

Ms. Solviano, Correctional Officer sued Individual and Official

Jane Doe (mixed complexion) Correctional Officer, sued Individual and -

New Officially? Cosgrove, Correctional Officer, sued Individually & Officially

John Doe (looks Hispanic) Correctional Officer, sued in OFFICIAL Capacity

Sgt Patti (supervisor) Correctional Officer, sued Individually and OFFICIALLY

Officer Tresch, Correctional Officer, sued Individually and OFFICIALLY

SORC SWORD, Civilian Senior Offender Rehab Counselor sued Individually and OFFICIALLY

Counselor Senior Offender Rehab Counselor sued Individually and OFFICIALLY

John Doe (Tall Full Beard) Correctional Officer, sued Individually and -  
Can Identify Official Capacity.

Om H Ashton (Civilian) R.R. Om H Consultant Program staff, Counselor

L.T. Jane Doe (Female L20)  
L.T. Hispanic Colored complexion) Correctional Officer supervisor, sued in OFFICIAL

- Capacity. Only one. Superintendent COOK - Superintendent sued OFFICIALLY

K. Walker First Deputy Superintendent sued Individually and OFFICIAL

All Addresses For All Defendants Are The Same As mentioned Pg 2.

5. The approximate date the action was filed: \_\_\_\_\_  
 6. What was the disposition of the case?

Is it still pending? Yes  No

If not, give the approximate date it was resolved. \_\_\_\_\_

Disposition (check the statements which apply):

Dismissed (check the box which indicates why it was dismissed):

- By court *sua sponte* as frivolous, malicious or for failing to state a claim upon which relief can be granted;
- By court for failure to exhaust administrative remedies;
- By court for failure to prosecute, pay filing fee or otherwise respond to a court order;
- By court due to your voluntary withdrawal of claim;
- Judgment upon motion or after trial entered for
- plaintiff
- defendant.

- B. Have you begun any other lawsuits in federal court which relate to your imprisonment?

Yes  No  Sorry For Error

If Yes, complete the next section. NOTE: If you have brought more than one other lawsuit dealing with your imprisonment, use this same format to describe the other action(s) on another sheet of paper.

1. Name(s) of the parties to this other lawsuit:

Plaintiff(s): \_\_\_\_\_  
 \_\_\_\_\_

Defendant(s): \_\_\_\_\_  
 \_\_\_\_\_

2. District Court: \_\_\_\_\_

3. Docket Number: \_\_\_\_\_

4. Name of District or Magistrate Judge to whom case was assigned: \_\_\_\_\_  
 \_\_\_\_\_

5. The approximate date the action was filed: \_\_\_\_\_

6. What was the disposition of the case?

Is it still pending? Yes  No

If not, give the approximate date it was resolved. \_\_\_\_\_

A. FIRST CLAIM: On (date of the incident) 3-4-24 Monday, defendant (give the name and position held of each defendant involved in this incident) Officer Tresch, C.O  
Tresch was off duty "Sgt" Patti, ?Cosgrove Corr Officer  
Sgt stands for sergeant/C.O Corr officer

did the following to me (briefly state what each defendant named above did): Officer Tresch Retaliated against my grievance complaints and Fabricated an Assuit Then Falsified State Documents and refused to Appear As A witness. Sgt Patti Fabricated a Misbehavior Report stemming Therefrom, And Did so Without Knowledge of The Incident. ?Cosgrove Assisted me several times while investigating The Alleged Incident Officer Tresch and Sgt Patti Fabricated. I Then lost All Property: Personal, legal, state, including A Basic Bed.

The constitutional basis for this claim under 42 U.S.C. § 1983 is: Due Process, Equal Protection, Cruel and unusual Punishment and Retaliation, Deliberate Indifference

The relief I am seeking for this claim is (briefly state the relief sought): Punitive Damages, Compensatory Damages or An alternative to punitive An injunction to be compensated for torment and suffering & Stop it.

Exhaustion of Your Administrative Remedies for this Claim:

Did you grieve or appeal this claim? ✓ Yes No If yes, what was the result? Appeal Filing Director had different mail I never get Code 40 responses And my mail is stolen.

Did you appeal that decision? ✓ Yes No If yes, what was the result? I filed a grievance was Investigated twice NO Response provided After Interviewer stated it would be.

Attach copies of any documents that indicate that you have exhausted this claim.

If you did not exhaust your administrative remedies, state why you did not do so: I Am unable to get A Appeal or Complaint to COFC or Albany This 1983 is to put a stop to my Harshships

A. SECOND CLAIM: On (date of the incident) 3-9-24 Saturday, defendant (give the name and position held of each defendant involved in this incident) Jane Doe, J Brooks, C.O  
? Insania, M. Brown, John Doe(sergeant), John Doe(sergeant), M. Giv, M. Pluff, C.O  
M. Nowak, Ms. Solivano, Jane Doe, John Doe(takes hispanic), John Doe(Tall Fall - Beard con Identity)  
C.O. corr officer

Continued on separate sheet

did the following to me (briefly state what each defendant named above did): M. BROWN called me to be searched In A NO Audio NO camera Frisk Room AS SOON AS I WAS entering I was rushed and turned around to be hit. I observed Officer Insania, Brooks, and Brown first then a officer sprayed me while handcuffed and into my bleeding wounds then all of them took turns Beating me. They Cuffed me and Put The CUFFS so tight to Damage soft tissue both wrists And pulled my arms back enough I can't walk with their weight Injuring my right shoulder.

The constitutional basis for this claim under 42 U.S.C. § 1983 is: Cruel and unusual punishment, Corral punishment Battery, Excessive Force, Failure to Protect Deliberate indifference

The relief I am seeking for this claim is (briefly state the relief sought): Compensatory Damages and Punitive Damages In Alternative injunction Relief to Stop The torment I have and still face.

Exhaustion of Your Administrative Remedies for this Claim:

Did you grieve or appeal this claim?  Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, what was the result? The Complaint has yet to be processed.

Did you appeal that decision?  Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, what was the result? No Response And The Complaint has yet to be processed.

Attach copies of any documents that indicate that you have exhausted this claim.

If you did not exhaust your administrative remedies, state why you did not do so: My mail to Albany, Or Attorneys is stolen only mail goes out is IGRG Petty issues They know they will Deny.

If you have additional claims, use the above format and set them out on additional sheets of paper.

6. RELIEF SOUGHT

Summarize the relief requested by you in each statement of claim above.

I Request to receive Compensatory Damages in each claim and to have Officers and their superiors who Violently & without any regard Disregard Human Rights Removed From a position where they feel Invisible and stay so.

Do you want a jury trial? Yes  No \_\_\_\_\_

Second Claim Continuation: They Pulled 3/4's of my Dreadlocks Out and laughed while Kicking And Draggin Me. Both sergeants stood and watched one even Laughed. All the Staff They would Need to respond to a Real Incident were already There so I Foiled The camera of entrance There is A Monitor, but I'm told its NOT Audio, or camera. I Then Foiled The RRU entrance to show These Officers were NOT at Their post This foil also is unanswered And The Records Are Available I ASK The Court For help A In-camera review of The proof The Government is supressing. One Sergeant Threatened To Bust my head with his metal Button upon entering The medical unit. "Jane Doe Asked me did I want to hurt myself approx 4pm I Stated NO unequivocally. Jane Doe Filed a False Report because The Threatening SGT Asked her to And TOOK my Personal Boots and Wedding Band I'm yet to have back And Placed me on Suicide Watch 2 1/2 days to avoid calling my Family. Jane Doe allowed me to leak Blood down my Face for over 3 Hours PROVIDED NO medical at all. Separate Nurse said O NO NO NO.

Third Claim: The Third claims Date of Incident is 3-4-24  
 SGT Patti, ? Insenial(C.O.), John Doe (looks Hispanic) C.O., Omitt Ashton - Civilian LT <sup>Jane</sup> Doe Lt C.O. supervisor Colored complexion, RRU Counselor Superintendent COOK, Superintendent, ? Cosgrove C.O.

On The 4th day of March after a Fabricated Incident I was moved to a non working Disgusting cell. Everything Dirty, The cell looked to be non habitable or liveable, or lived in for atleast weeks. No static or law library tablet over 3 weeks My personal property was confiscated without a valid order, My legal documents confiscated, personal Bibles and Jehovah publications destroyed, lost, or lied to about. Cell Items confiscated including but not limited to: Toilet Tissue, Toothbrush and toothpaste, soap, clothing other than what I was wearing and paper, pens, or utensils. Once metal shower completely brown with no cleaning tools still to this day 3-27-24. No shoe strings. I was placed on a special Management Meal which J Brooks took half of the condiments every time and SGT Patti never came when requested. I was denied Milk and told my substitute was water sometimes no fruit either. Exhibit I

Separate Sheet (2) Exhibit (2)'s

Shaqutt Bessie

And 2nd  
Q2 p20

This meal is 4 slices of Bread, An egg And 2 cup peanut Butter 2 Jellys I do Not know what the real menu is. I Was denied sickcall And RR recreation. The Super-Intendent Failed to conduct any Investigation, or stop so I could verbally complain. For 5 days I slept with NO MAT or anything to prevent my Face From Touching The metal Bed Frame. I endured Bone Bruises And Hip Pain elbow pain And Terrible Breakouts BACK pain, Neck stiffness, and sleepless Nights. The qth e had in my property (3) signed For legal letters which were Stolen and NOT Returned. Handling a personal claim stemming from Traveling. I Lost All mail Recived. Mr Battle lost A FULL Composition Notebook of Music, A short story poem book Fully completed, 2 Large Manilla envelopes full of music, Business plans and Finished Music Albums.

The Constitutional Basis For this Claim under 42 USC § 1983 is:  
Due process, Equal protection, cruel and unusual punishment, Retaliation, Distraction of personal property.

The relief I am seeking For this Claim is: Compensatory Damages, Actual Damages, Punitive Damages, or In The alternative Injunction Relief to stop Illegal Actions That Keep occurring.

I grieved this claim was interviewed by SGT Patti On A Thursday or Friday The 21<sup>st</sup> or 22<sup>nd</sup> The person who the claim was mainly about. I had Family File over 6 OSI online complaints 3-5-24 throughout Today and Senators talk to my Family. This Jail Assigns The complaints to staff who they are on I have NO Impartial Investigation NO WAY to adequately complain.

I Asked my wife Charlene Battle to Complain 3-23-24 and I'm sure A complaint has been Filed. I dont get a copy, Nor can I Access Them.

Please Allow me to have Family Forward Screen Shots to All parties to Show proof of my complaint and See SGT Conti Report and SGT Patti approx 3-21, or 22<sup>nd</sup>, 2024. Electronic Evidence

Separate sheet(3)

Shaquix Battle

Fourth claim: On 3-15-24 In Conjunction with 3-21-24

SORCSWORD(Counselor), SGT PATTI (C.O. supervisor), OFFicer Tresch-C.O.), Superintendent COOK(Superintendent) K. Walker (First Deputy Superintendent), (SUPT)superintendent  
ABR

A Hearing was held by SORCSWORD. First SORCSWORD denied the most relevant witness OFFicer Tresch And only attempted to call him twice in a one minute space. SORCSWORD stated "Without Any credibility or evidence Review. SORCSWORD showed A Consciousness of Guilt Towards The statement(s) removed Charge(s) without a hearing in a Exculpatory and favorable Nature." A copy of the video is requested and offered as a Exhibit This video is overwhelming of Innocence!! SGT PATTI was called by SORCSWORD. He stated in his testimony he, Nor his position in his report was in Compliance with state law and federal law. The Hearing Tape depicts SORCSWORD Feeding Info to his witness who still failed to meet safeguard standards.

I was denied (2) witnesses who could only corroborate Plaintiff Although A Government Officer.

3-17-24, Plaintiff Filed an Administrative Discretionary Review.

3-21-24 Mr Battle learned his Discretionary Review had been pushed off by SUPT COOK thus denying me a Right to have The Facility Superintendent Review The Merits of my Complaint and Instead received A Correspondence from First Dep K. Walker Instructing me to File An Appeal AS IF I'm NOT entitled to A Discretionary Review.

The (2) did not enjoy The legal mind of Shaquill Battle. The Discretionary Review written WAS Meritorious And Included. Exhibit #3

The Constitutional Basis For This Claim under 42 U.S.C § 1983 is Due process, equal protection, Deliberate Indifference, Right to petition The Government, Denied Access to courts).

Separate sheet 4      Continued  
 Shaquill Battle

The relief I am seeking for this claim is Compensatory Damages and punitive damages.

I filed an appeal to the commissioner unaware if the appeal was received. There is NO policy to log outgoing mail. This is the hardest time I've done in 11 years.

I am waiting to receive acknowledgement for my appeal to the commissioner.

I am filing this complaint after having NO WAY to know if ANY OF my appeals other than in house matters have been received this facility did this 2018 to me as well this is just worse 1000%.

Fifth claim: On 3-4-24 SGT patti (C.O supervisor) LT Jane Doe (Female, Colored complexion, only one RRU) and Superintendent COOK.

For over 3 weeks I have been deprived of personal property without any valid justification. The (2) orders state I committed acts that reflected on any other reports, but used to harm me mentally and physically emotionally to me and family. I have had no personal conversation with family. No legal studying with the law library tablet in violation of HALT LAW. I found staff blatantly lied on deprivation order forgetting I left for visit early got jumped on never to return until 2 1/2 days later and they kept fabricating events. Exhibits I am yet to see a Hatch order tablet(s), or recs. These are clear violations of their own policies and equal protection clause(s) cruel and unusual.

The constitutional basis for this claim under 42 U.S.C § - 1983 is: Due process, equal protection, cruel and unusual punishment and Deliberate Indifference.

The relief I am seeking for this claim is: Punitive Damages and compensatory damages.

I grieved This Claim See Exhibit to have it NOT Named And to have the same events Take place Again and Again and The Next day.

I Am AWaiting Any Acknow ledge ment And Feel this Claim serves As A [Safe Haven Home care,inc v United STATES Department OF Health And Human Services] petition

2023 WL 4422790 (2023) This is Illegal Executive Action!  
Ongoing I Cannot Correspond With Attorneys For my Impending Federal Writ In Front Of Frank Geraci Jr These C.O's Said we will stop your Little Petition And I've been Through all Aforementioned wrong fully.

Shagnit Beattie

Grievance #1

ShaQuill Battle

ShaQuill Battle 15B2021 C-1-23 3-14-24

A Brief Description: On 3-4-24 A Fabricated misbehavior report was filed by Sgt Patti.

I was forced to A cell that had No Bed, No Toilet Tissue, Toiletries, Comb, hand gloves, Cleanliness, or Property For receiving a misbehavior Report. I Never was provided with A Form In Reference Of 2187 Deprivation(s). I Am To this date NOT under Any Disposition And on either 2-27 or 2-28 The Superintendent of Attica suspended my Packages and Commissary. I Am still waiting A Bus & Half The month has Elapsed After Notifying The Startist on 3-1-24. I Asked For Protective Custody From The Arian Nation, Dirty Dogs & Latin Kings.

Action Requested:

Sign me into A PC Program because These Are valid Threats on my life & I can't program in CLASS. I can't come out my cell.

Also I request All who made Rounds or Witnessed I/I Battle receive under Mandatory Minimum standards get Sanctioned I am on Loss of legal Documents! Ha Holl What?

cc Neighbors who are Witnesses NYCB and personal counsel.

Exhibit  
2Orleans

Correctional Facility

## DEPRIVATION ORDER RRU

INCARCERATED INDIVIDUAL'S NAME: Battle S DIN: 15B2077 Cell Location: RU-C1-23In accordance with Directive #4933D, "Residential Rehabilitation Units," on this date of 3/4/24 you are being deprived of the following specific item(s), privilege(s) or service(s): State linens, State propertybecause it is determined that a threat to the safety or security of staff, incarcerated individuals, or State property exists and for the following specific reason(s): I/I covered cell windows with State propertyRecommended by: F. Path, Sergeant      Authorized By: Alcapt M. Fenneli,  
(DSS, QD, or Other Authorized Staff)      Date: 3/4/24

Daily Review	Date	Cell #	Reason(s) for continuing this order (based on current evaluation):
DAY 2.	3/4/24	RU	I/I continues to not follow staff direction
		C1	
		23	Recommended by (Sgt.): <u>F. Path</u> Authorized by: <u>Alcapt M. Fenneli</u>
DAY 3.	3/5/24	RU	I/I continues to be disruptive towards staff
		C1	
		23	Recommended by (Sgt.): <u>F. Path</u> Authorized by: <u>Alcapt M. Fenneli</u>
DAY 4.	3/6/24	RU	I/I Continues poor behavior
		C1	
		23	Recommended by (Sgt.): <u>S. S. C.</u> Authorized by: <u>WMSI</u>
DAY 5.	3/7/24	RU	I/I will not follow direction without repeated orders
		C1	
		23	Recommended by (Sgt.): <u>S. S. C.</u> Authorized by: <u>WMSI</u>
DAY 6.	3/8/24	RU	I/I's Disruptive Behavior Continues to interfere w/staff
		C1	
		23	Recommended by (Sgt.): <u>S. S. C.</u> Authorized by: <u>WMSI</u>
DAY 7.	3/10/24	RU	Offender's Conduct / Deprivations ended
		C1	
		23	Recommended by (Sgt.): <u>S. S. C.</u> Authorized by: <u>WMSI</u>

\*After seven (7) days, deprivation orders will be reviewed and can be renewed by the Superintendent.\*

SUPERINTENDENT'S REVIEW:Shaqira Battle

COMMENTS: \_\_\_\_\_

RENEW:  YES NO

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

NOTICE TO INCARCERATED INDIVIDUAL:

You may write to the Deputy Superintendent for Security or their designee to make a statement on the need for continuing this deprivation order.

Notes: Upon signature (authorization) copy and deliver to the incarcerated individual.

cc: Superintendent, RRU Sergeant Housing Unit, Guidance Unit, Incarcerated Individual

PHOTOCOPY LOCALLY AS NEEDED  
FORM 2190 (06/22)

## Exhibit 2

## NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

Initial Start Date:	03/04/24
Start Meal:	Dinner

SPECIAL MANAGEMENT MEAL ORDER

Orleans Correctional Facility

Name: Battle	DIN: 15B2077
Cell Location: RU-C1-23B	

In accordance with Directive #4933, "Special Housing Units," I am recommending that you be placed on the Special Management Meal because I have determined that a threat to the safety or security of staff, incarcerated individuals, or State property exists for the following specific reason(s):

I/I Battle Threw his messhall tray at an officer in the RRu That contained oatmeal and a liquid that smelled like urine.

Recommended by: (Print) Sgt. D. Conti (Signature) Sgt. D. Conti (Date) 03/04/24

Superintendent's Decision:

APPROVED  DISAPPROVED

REVIEWED BY:

Amy A Cook  
Print Name

Amy Cook Supt.  
Signature Title

3/4/24  
Date

**NOTICE TO INCARCERATED INDIVIDUAL:** You may write to the Deputy Superintendent for Security or their designee to make a statement as to the need for continued imposition of this Special Management Meal Order.

## TO: MEDICAL DIRECTOR:

The above-named incarcerated individual is being considered for a Special Management Meal. Please examine the incarcerated individual's ambulatory health record to determine if such meal would jeopardize the incarcerated individual's health.

Medical Recommendation:  This incarcerated individual is medically approved for the Special Management Meal.  
 This incarcerated individual's medical condition renders the Special Management Meal inappropriate.

## REVIEWED BY:

D.WIGHT LEWIS MD D.Wight Lewis MD 03.04.2024  
Print Name Signature Title Date

**TO: AREA SUPERVISOR/WATCH COMMANDER/DEPUTY SUPT. SECURITY:** The above-named incarcerated individual has been placed on a Special Management Meal Order. They are to be evaluated daily for the need to continue this order. Fill out this portion of the form daily.

	DATE	Reason(s) for continuing this order (based on current evaluation):
2.	<u>3/5/24</u>	<u>I/I continues to be disruptive to staff</u>
3.	<u>3/6/24</u>	<u>I/I continues to not follow staff direction</u>
4.	<u>3/7/24</u>	<u>I/I is argumentative with staff</u>
5.	<u>3/8/24</u>	<u>I/I continues poor behavior</u>
6.	<u>3/9/24</u>	<u>I/I continues disruptive behavior</u>
7.	<u>3/10/24</u>	<u>I/I Detained in paper bag</u>

Distribution: Commissioner's Office, Superintendent's Office, DSS, SHU/RRU Sgt., Medical file, Guidance file, Incarcerated Individual

Shagedit Beale

(29)

Legal mail/ Stamps  
taken

Grievance #1 Assistant Lies &amp; Practice

Stolen legal mail/ Lack of commissary Buy/ no stamp  
Buy

Shaqill Battle 15BZ077 3-14-24 C-1-23

BT): I have had my Singed" For legal and personal mail Confiscated Illegally. I have missed being Able to respond to my claims by lack of A stamp purchase being Here over 3 weeks Tomorrow. I am Not loss of commissary, or my right to Association under The First, FIFTH, NINETH Amendment or The 14th. I have missed legal Deadlines And strong Arms Robbed.

\* My Assistant For my Tier hearings today told me with another officer and a Female Lt present he would bring me all the requested items Needed to Form a Necessary Defense. I was lied to and denied my Right to Conduct review of Related Material Pertinent to my Defense by all the aforementioned

ACTION Requested: Federal, state & All Rights Are upheld. I request the video of The Assistance is Reviewed with All 3 Parties On it And that I get more carbon paper For running out.

CC PLR, private Counsel  
Witnesses

Shaqill Battle



KATHY HOCHUL  
Governor

## Corrections and Community Supervision

DANIEL F. MARTUSCELLO III  
Acting Commissioner

Exhibit 3

To: S. Battle 15B2077 RU-C1-23T

From: K. Walker, First Deputy Superintendent 

Date: 3/21/24

Re: Discretionary Review/Tier 3 Appeal

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I am in receipt of your memo requesting a Discretionary Review for your Tier 3 incident 3/9/24. Please complete a Tier 3 Appeal form and submit to the Director of Special Housing and I/I Discipline in Central Office, as indicated on the bottom of the form.

KW:dr  
cc: File

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3-27-24(wed)  
(date)

NOTE: *Each plaintiff must sign this complaint and must also sign all subsequent papers filed with the Court.*

Shaggy Bettle 15BZ077

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Signature(s) of Plaintiff(s)

Your Honor

Ex parte

Communication

3-27-24

I have NO lights This was written  
 From Yard Security Ligat Help  
 I am The Plaintiff and am In Fear For my  
 Life every Weekend. They say They'll Set me  
 up every visit. I File Something & loose Acc  
 Carbon copies, Any Trace. I CANNOT Fight  
 This claim In This Jail I Dont get  
 Notary FulFillments, or Pens. I've waited  
 3 days For a pen Exchange My Neighbors  
 provided pens Risked Their Liberty to see  
 me get a Com plaint out While The Regular  
 mail man is OFF.  
 Juliess Sanchez Secretary has started Talking  
 to my wife I Need a Transfer This Jail  
 Has set me up with 2 fake Assiters on STAFF.  
 I Beg This Federal Court to Allow me  
 to demonstrate The Need For this Complaint  
 Through its E M I T Test. I Beg to be  
 tested For Deception & was Assured on both  
 Alleged Incidents knowing & have other  
 ways to complain. They All will Fail! They Are  
 the Proof Holders of the videos of Circumstantial  
 Evidence and my allegations can be trusted through  
 Deception When They All Refuse The test.

I am 100% In The Right and Conscions  
 & couldnt engage at All And didnt once they  
 Are Served I am at Risk A LOT more.  
 Thankyou In Advance For your time, care and Consideration

Shanes Bestie

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

24-CV-6191-fpg

## I. (a) PLAINTIFFS

SHAQuill Battle

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

## DEFENDANTS

Please see Separate Sheet(1)

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro Se Or Leans Corr Facility  
3531 Gaines Basin RD Albion NY

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- |  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question<br>(U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity<br>(Indicate Citizenship of Parties in Item III)   |

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Incorporated or Principal Place of Business In This State	<input type="checkbox"/>	<input type="checkbox"/>
Citizen of Another State	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Foreign Nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	<b>PROPERTY RIGHTS</b>	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice		<input type="checkbox"/> 863 DIWC/DIW (405(g))	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<b>Habeas Corpus:</b>	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<b>Other:</b>		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

## V. ORIGIN (Place an "X" in One Box Only)

- |   |   |  |   |  |  |   |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. 1983

Brief description of cause:

Unjust conditions, Property Theft, Illegal Executive Action, Battery, ASSAULT

## VI. CAUSE OF ACTION

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

## DEMAND \$

2 Million \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  Yes  No

## VII. REQUESTED IN COMPLAINT:

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

RE ORLEANS CORRECTIONAL FACILITY

3531 Gaines Basin Road  
Albion, New York 14411-9199

NAME: Shaquill Battle DIN: 15B2077

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